



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/18/98	11/05/98	MUSAKA	K AM524R1/289

PATENT COUNSEL, M/S 2061
LEGAL AFFAIRS DEPARTMENT
APPLIED MATERIALS, INC.
P.O. BOX 450A
SANTA CLARA CA 95052

IM22/0720

EXAMINER	
PADGETT, M	
ART UNIT	PAPER NUMBER
1762	12

DATE MAILED: 07/20/00

Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS

ADVISORY ACTION

☒ THE PERIOD FOR RESPONSE:

- a) ☒ is extended to run _____ or continues to run 3 months from the date of the final rejection
- b) ☐ expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

☐ Appellant's Brief is due in accordance with 37 CFR 1.192(a).

☒ Applicant's response to the final rejection, filed 6/16/00 has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

1. ☒ The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:

- a. ☒ There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
- b. ☒ They raise new issues that would require further consideration and/or search. (See Note).
- c. ☐ They raise the issue of new matter. (See Note).
- d. ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
- e. ☐ They present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: In the last 2 lines of claim 27 "the layer" & "the reaction" can refer to either of the two sets previously introduced, as there is no distinguishing modifier. Calling the initially introduced "a layer", -- a coating layer -- or the like would eliminate this ambiguity. Modifying the group of for forming hole carbons to eliminate CF₄ is a new issue, and obviousness must be considered for the homogeneous set of compounds.

2. ☐ Newly proposed or amended claims _____ would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.

3. ☒ Upon the filing an appeal, the proposed amendment ☐ will be entered ☒ will not be entered and the status of the claims will be as follows:

Claims allowed: _____

Claims objected to: _____

Claims rejected: 1-10 & 27-34

However;

☒ Applicant's response has overcome the following rejection(s): have corrected the problem of unsupported processes in claim 27.

4. ☒ The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because applicant's make arguments concerning various stresses that ARE NOT supported by their specification, nor do they supply any prior art to support their arguments, hence undisclosed and unsubstantiated.

5. ☐ The affidavit or exhibit will not be considered because applicant has not shown good and sufficient reasons why it was not earlier presented. allegations can NOT be convincing. Evidence is needed.

☐ The proposed drawing correction ☐ has ☐ has not been approved by the examiner.

☐ Other will be needed to determine whether applicant's arguments for No new matter & no recapture are appropriate and convincing.

PTOL-303 (REV. 5-89)

☒ Interview Summary PTO-413

MARIANNE PADGETT
PRIMARY EXAMINER

U.S. PAT. & TM. OFF. GROUP 1700